



PRIVACY POLICY 2016

PURPOSE

The purpose of this policy is to provide a framework for the management of personal information provided to, or collected by, The Scout Association of Australia, Victorian Branch ('Scouts Victoria').

SCOPE

This policy applies to all formations and entities of Scouts Victoria. The policy applies to all types of information that Scouts Victoria collects and holds including, but is not limited to, personal information about:

- Adult members, Adult Supporters, Youth members and parents and/or guardians ('parents') before, during and after an application for membership, or an offer of support, or an application for participation in a Scout event or activity;
- Job applicants, employees, volunteers and contractors; and
- Other people who come into contact with Scouts Victoria.

Personal information collected or held may include 'sensitive information' such as an individual's health, religious affiliation, or criminal record. It may also include information obtained via email, the Scouts Victoria website and social media platforms.

POLICY STATEMENT

Scouts Victoria is committed to protecting and maintaining the privacy, accuracy and security of all personal information and will apply the 'Australian Privacy Principles' as they apply from time to time.

Personal information shall only be collected where the information is reasonably necessary for a function or activity of Scouts Victoria. Scouts Victoria will take all reasonable steps to ensure that the personal information it collects is accurate, up to date and complete.

It is Scouts Victoria policy that Scouts Victoria members and employees are required to respect the confidentiality of members, parents, employees, and supporters' personal information and the privacy of individuals. Scouts Victoria will protect the personal information it holds from misuse, interference and loss, unauthorized access, modification or disclosure.

Scouts Victoria will use personal information it collects for the primary purpose of collection and for secondary purposes that are related to the primary purpose of collection or to which a person has consented.

Scouts Victoria respects every parent's rights to make decisions concerning their child.

RESPONSIBILITIES

Executive Manager

- Ensure that this policy is made available on the Scouts Victoria website and to all 'members' and employees on request.
- Nominate a 'Privacy Officer' and make the contact details of this officer generally available, including on the Scouts Victoria website.
- Only collect and store information related to use that enables the delivery of The Scout Association of Australia's Mission Statement, as defined in 'Policy and Rules' and, more specifically, as outlined in the Attachment 'Purposes for which Scouts Victoria Uses Personal Information'.
- Store personal information in a secure manner to prevent unauthorised access, including the use of password access rights to computerized records, and only provide access to personal information in accordance with the procedures defined below.

'Members' and Employees

'Members' and employees shall:

- Only collect and store information related to enabling the delivery of The Scout Association of Australia's Mission Statement, as defined in 'Policy and Rules', and, more specifically, as outlined in the Attachment 'Purposes for which Scouts Victoria Uses Personal Information'.
- Store personal information in a secure manner to prevent unauthorised access, including the use of password access rights to computerized records, and only provide access to personal information in accordance with the procedures defined below.

'Leaders-in-charge'

- In addition to their responsibilities as a 'member', 'leaders-in-charge' shall have a primary responsibility for the collection and storage of personal information relevant to their formation or entity, the responsibility for keeping information up to date and for authorizing access to other relevant 'members' or formations.

PROCEDURES

Collection of Personal Information

Scouts Victoria will generally collect personal information held about an individual by way of forms filled out by parents or members, face-to-face meetings and interviews, emails and telephone calls. In some circumstances Scouts Victoria may be provided with personal information about an individual from a third party, for example a report provided by a medical professional or a reference from another organisation.

Disclosure of Personal Information

Scouts Victoria will not sell personal information, including mailing address data-bases, to others. Scouts Victoria may, where the information is reasonably necessary for a function or activity of Scouts Victoria, disclose personal information, including sensitive information, held about an individual, to:

- Any relevant Scouts Victoria formation or entity
- The Scout Association of Australia
- Other member organizations of the World Organisation of The Scout Movement;
- Government departments;
- Medical practitioners;
- People providing services to Scouts Victoria;

- Scouts Victoria's insurer/s and insurance agent/s
- Readers of Scouts Victoria publications, such as newsletters and magazines;
- Parents and guardians;
- Anyone the individual authorizes Scouts Victoria to disclose information to; and
- Anyone to whom Scouts Victoria is required to disclose the information to by law.

Sending and Storing Information Overseas

Scouts Victoria may, where the information is reasonably necessary for a function or activity of Scouts Victoria, disclose personal information about an individual to overseas recipients, for instance, to facilitate participation in Scout Association of Australia approved international activities. However, Scouts Victoria will not send personal information about an individual outside Australia without:

- Obtaining the consent of the individual (in some cases this consent will be implied); and
- Ensuring that the overseas recipient complies with the Australian Privacy Principles or other applicable privacy legislation.

Treatment of Sensitive Information

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless the individual agrees otherwise, or the use or disclosure of the sensitive information as allowed or required by law. Secure storage and confidentiality of such information will be paramount.

Information relating to Access and Intervention Orders

Where a parent or guardian of a youth member advises Scouts Victoria of the details of a parenting order under the *Family Law Act 1975* (C'th) or an intervention order under the *Family Violence Protection Act 2008* (Vic) or *Personal Safety Intervention Orders Act 2010* (Vic), this information will be treated as if it were sensitive information and be dealt with in accordance with this policy and its procedures.

Access and Correction of Personal Information

Under the *Privacy Act 2001* (C'th), and the *Health Records Act 2001* (Vic), an individual has the right to access to any personal information which Scouts Victoria holds about them and advise Scouts Victoria of any perceived inaccuracy.

Youth members will generally be able to access and update their information through their parents/guardian, but youth members 16 years of age or above may seek access and correction themselves. There are some exceptions to these rights set out in the applicable legislation.

Parents/guardian may seek access to personal information held by Scouts Victoria about a youth member for whom they are the parent / guardian, however, there will be occasions where access is denied. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others, or where the release may result in a breach of Scouts Victoria's duty of care to the youth member.

Scouts Victoria may, at its discretion, on the request of a youth member grant that youth member access to information held by Scouts Victoria about them, or allow the youth member to give or withhold consent to use their information, independently of their parents/guardian. This would normally be done only when the maturity of the youth member and/or the youth member's personal circumstances so warranted.

To make a request to access or update any personal information Scouts Victoria holds about a person the Privacy Officer should be contacted in writing. Scouts Victoria may require a person to verify their identity. Scouts Victoria may charge a fee to cover the cost of verifying an application and locating, retrieving, reviewing and copying any information requested. If the information sought is extensive, Scouts Victoria will advise the likely cost in advance. If Scouts Victoria cannot provide a person with access to that information, Scouts Victoria will provide written notice explaining the reasons for refusal.

Consent and rights of access to the personal information of members by third parties

Generally, Scouts Victoria will refer any requests for consent and notices in relation to the personal information of a youth member to the youth member's parents/guardian. Scouts Victoria will treat consent given by parents as consent given on behalf of the youth member, and notice to parents/guardian will act as notice given to the youth member. Scouts Victoria will not provide access if consent is not given, unless there is a requirement under Law to provide the information.

Inquiries and Complaints

A person can obtain further information about the way Scouts Victoria manages the personal information it holds, or lodge a complaint if they believe Scouts Victoria has breached the Australian Privacy Principles, by contacting the Privacy Officer. Scouts Victoria will investigate any complaint and will notify the person of the making of a decision in relation to the complaint as soon as is practicable after it has been made. Complaints will be dealt with in accordance with Scouts Victoria's 'Local Complaints Resolution Procedure'.

Removal/Destruction of Information

Where personal information held is no longer required for the purposes for which it was provided, and the deletion of the record is allowed by law, Scouts Victoria may delete or destroy or de-identify information relating to an individual. Any such removal or destruction will be undertaken in accord with the Scouts Victoria 'Records Management Policy' and, if a personal health record, be subject to a written note of the name and address of the individual, the period covered to which the deleted information relates and/or the nature of the deleted record, and the date the record was deleted being recorded.

Visitors to the Scouts Victoria website

The servers used by Scouts Victoria may record information sent by an individual's browser, including the server's address, pages visited and so forth and the Scouts Victoria website may use cookies that identify an individual's browser, and make use of analytics on website activity and internet usage. Further details are available on request from the Privacy Officer. Opt-out settings may be available on an individual's browser.

DEFINITIONS

Australian Privacy Principles: Being the principles contained in the *Privacy Act 1988 (Cth)*. A summary of the principles is included as an attachment to this policy.

Leader-in-Charge: Being the person listed as being the leader-in-charge of the relevant formation in the Scouts Victoria extranet membership records listing.

Member: As defined by 'Policy 3.1 Members' of Policy and Rules 2015 (National Council of the Scout Association of Australia).

Privacy Officer: Being an employee of Scouts Victoria specifically designated as the 'Privacy Officer'.

Sensitive Information: Information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical belief, sexual orientation or practices or criminal record, that is also personal information; health information; financial information; and biometric information about an individual.

RELATED DOCUMENTS, REFERENCES

Privacy Act 1988 (C'th)

Health Records Act 2001 (Vic) – Schedule 1 - The Health Privacy Principles

Scouts Australia Policy and Rules (2015)

Records Management Policy [in preparation]

Local Complaints Resolution Procedure (2011)

Social Media Policy (n.d.)

ATTACHMENTS

- Australian Privacy Principles
- How will Scouts Victoria use the personal information provided

PROCEDURE OWNER

The Executive Manager. Email: exec.manager@scoutsvictoria.com.au

CONTACT US

Any enquires, complaints and requests for access can be made to: The Privacy Officer, Scouts Victoria, by mail to 152 Forster Road, Mt Waverley, 3149, or by email to privacy.officer@vicscouts.asn.au

ATTACHMENT – AUSTRALIAN PRIVACY PRINCIPLES SUMMARY

Australian Privacy Principles – a summary for APP entities

from 12 March 2014



Australian Government
Office of the
Australian Information Commissioner

APP 1 — Open and transparent management of personal information
Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

APP 2 — Anonymity and pseudonymity
Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

APP 3 — Collection of solicited personal information
Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

APP 4 — Dealing with unsolicited personal information
Outlines how APP entities must deal with unsolicited personal information.

APP 5 — Notification of the collection of personal information
Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

APP 6 — Use or disclosure of personal information
Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

APP 7 — Direct marketing
An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

APP 8 — Cross-border disclosure of personal information
Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

APP 9 — Adoption, use or disclosure of government related identifiers
Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

APP 10 — Quality of personal information
An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

APP 11 — Security of personal information
An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

APP 12 — Access to personal information
Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

APP 13 — Correction of personal information
Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.

www.oaic.gov.au

For private sector organisations,
Australian Government
and Norfolk Island agencies
covered by the Privacy Act 1988

ATTACHMENT - HOW SCOUTS VICTORIA WILL USE THE PERSONAL INFORMATION PROVIDED

Personal information shall only be collected and stored where the information is reasonably necessary for a function or activity of Scouts Victoria - to enable it to deliver The Scout Association of Australia's Mission Statement, as defined in 'Policy and Rules'. Scouts Victoria will use personal information it collects for the primary purpose of collection, as defined below, and for such other secondary purposes that are related to the primary purpose of collection or to which a person has consented.

Members & Supporters

In relation to personal information of members, parents, and supporters, Scouts Victoria's primary purpose of collection includes satisfying the needs of parents, the needs of the member and/or supporter, and the needs of Scouts Victoria throughout the whole period the individual is a member or supporter. The purposes for which Scouts Victoria uses personal information of members, parents, and supporters include:

- To keep members, parents, and supporters informed about matters related to Scouting through correspondence, newsletters, and magazines
- Day to day administration of Scouts Victoria
- Catering for an individual's educational, social, and mental wellbeing
- Seeking donations and marketing for Scouts Victoria
- To satisfy Scouts Victoria's legal obligations and allow Scouts Victoria to discharge its duty of care

In some cases where Scouts Victoria requests personal information about a member, parent or supporter, if the information requested is not provided, Scouts Victoria may not be able to accept membership or continue membership of an individual or permit the individual to take part in a particular activity.

Members and supporters will always be provided with an option to 'opt-out' of receiving electronic newsletters and marketing material via an 'unsubscribe' link.

Job applicants, staff members and contractors

In relation to personal information of job applicants, staff members and contractors, Scouts Victoria's primary purpose of collection is to assess and (if successful) to engage the applicant, staff members or contractor, as the case may be. The purpose for which Scouts Victoria uses personal information of job applicants, staff members and contractors include:

- In administering the individual's employment or contract, as the case may be
- For insurance purposes
- Seeking donations and marketing for Scouts Victoria
- To satisfy Scouts Victoria's legal obligations, for example, in relation to child protection legislation.

Volunteers

Scouts Victoria also obtains personal information about volunteers who assist Scouts Victoria in its functions or conduct associated activities, to enable Scouts Victoria and the volunteers to work together.

Marketing and fundraising

Scouts Victoria treats marketing and seeking donations for the future growth and development of Scouts Victoria as an important part of ensuring the Scouts Victoria continues to provide an environment in which all members, parents, and supporters thrive. Personal information held by Scouts Victoria may be disclosed to organizations that assist in fundraising for Scouts Victoria, for example, Scouts Victoria on occasion may appoint external fundraising organizations. Members, parents, staff, supporters, and contractors may from time to time receive fundraising information. Scouts Victoria publications, like newsletters and magazines, which include personal information, may be used for marketing purposes. An 'unsubscribe' option will be provided for all electronic marketing and fundraising material.

Photographs and digital images

As part of its regular activities Scouts Victoria may take photographs and/or digital images and/or audio and/or video images of members, employees and others participating in Scouting activities for training, recognition, or publicity purposes. Unless an objection in writing is received by Scouts Victoria, it will be assumed that you will have allowed Scouts Victoria to use such material for such uses.

Contact listings

Members, parent/guardian, employee and supporters contact details may be included in a contact listing provided to others involved in a particular formation, event or activity to assist participants communicate with each other and for the provision of relevant information. If an individual does not want their contact details included in such a list, it will be removed on request.